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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,702	10/30/2001	Steven Wang	INTL-0679-US (P12997)	9571

21906 7590 12/27/2006  
TROP PRUNER & HU, PC  
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HOUSTON, TX 77057-2631

EXAMINER
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TAYLOR, NICHOLAS R

ART UNIT	PAPER NUMBER
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2141

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/020,702

Applicant(s)

WANG, STEVEN

Examiner

Nicholas R. Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-30 have been examined and are rejected.
2. The previous rejection of claims 1-30 is withdrawn in view of the newly discovered reference to Shoobridge et al. (U.S. Patent 6,633,769). Rejections based on the newly cited reference follow.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6, 7, 16, and 17 are rejected under 35 U.S.C. 112, second paragraph. The claim contains the trademark/trade name Bluetooth®. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982).

The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to describe the characteristics of a wireless connection and, accordingly, the description is indefinite.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 11-15, 21-23, 25, 26, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Shoobridge et al. (U.S. Patent 6,633,769).

7. As per claims 1, 11, and 21, Shoobridge teaches a method comprising:

establishing a wireless link between a cableless provider and a consumer; and

(Shoobridge, fig. 1; col. 6, lines 34-39; see fig. 5 process)

storing information exchanged to establish said link; and using said stored

information to reestablish said link (Shoobridge, col. 6, lines 48-60 and the process of fig. 5).

8. As per claims 2, 12, and 22, Shoobridge teaches the system further including exchanging information upon the first connection between a given cableless provider and a consumer (Shoobridge, fig. 1; col. 6, lines 34-39; see fig. 5 process).

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9. As per claims 3 and 13, Shoobridge teaches the system further including storing information in order to avoid the need to exchange information each time a connection is established (Shoobridge, col. 6, lines 43-47).

10. As per claims 4 and 14, Shoobridge teaches the system further including denominating said consumer as the master device and said cableless provider as slave device (Shoobridge, e.g., see structural relationship of fig. 1).

11. As per claims 5, 15, and 30, Shoobridge teaches the system further including programming said consumer to always be the master device (Shoobridge, e.g., see structural relationship of fig. 1).

12. As per claim 23, Shoobridge teaches the system further wherein said device is a consumer (Shoobridge, fig. 1; col. 6, lines 34-39; see fig. 5 process).

13. As per claim 25, Shoobridge teaches the system further wherein said device does not provide for authentication (Shoobridge, see fig. 5 where no authentication takes place).

14. As per claim 26, Shoobridge teaches the system further wherein said device does not provide for pairing (Shoobridge, see fig. 5 where no authentication takes place).

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 6-10, 16-20, 24, and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoobridge et al. (U.S. Patent 6,633,769) and Law et al. (U.S. PGPub 2001/0056501).

17. As per claims 9, 19, and 27, Shoobridge teaches the above, yet fails to teach including providing an indication bit that identifies the cableless provider to establish a connection.

Law teaches the use of the Bluetooth® protocol in wireless consumer and provider setting (Law, paragraph 0030; see also paragraphs 0010-0012) where the device is identified through FHS packets (paragraph 0031-0032, wherein FHS packets are an essential part of the Bluetooth® protocol that operates at a range of 2.4 gigahertz at approximately 10 meters).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Shoobridge and Law to provide the Bluetooth® functionality of Law in the system of Shoobridge, because doing so would enable wireless connections that remain active for extended periods of time using limited

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energy sources while at the same time providing improved network connection establishment response times in a Bluetooth® compatible context (Law, paragraph 0026).

18. As per claims 10, 20, and 29, Shoobridge-Law teaches the system further including providing information to a consumer from a cableless provider that indicates the type of device of the cableless provider (paragraph 0031-0032, wherein FHS identification packets are an essential part of the Bluetooth® protocol that operates at a range of 2.4 gigahertz at approximately 10 meters).

19. As per claims 6 and 16, Shoobridge teaches the above, yet fails to specifically teach enabling a Bluetooth® connection.

Law teaches the use of the Bluetooth® protocol in wireless consumer and provider setting (Law, paragraph 0030; see also paragraphs 0010-0012) where the device is identified through FHS packets (paragraph 0031-0032, wherein FHS packets are an essential part of the Bluetooth® protocol that operates at a range of 2.4 gigahertz at approximately 10 meters).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Shoobridge and Law to provide the Bluetooth® functionality of Law in the system of Shoobridge, because doing so would enable wireless connections that remain active for extended periods of time using limited energy sources while at the same time providing improved network connection

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establishment response times in a Bluetooth® compatible context (Law, paragraph 0026).

20. As per claims 7 and 17, Shoobridge-Law teaches the system further including enabling a Bluetooth® connection between said consumer and said cableless provider without providing for authentication (Law, paragraph 0031-0032, where no authentication takes place).

21. As per claims 8 and 18, Shoobridge-Law teaches the system further including enabling a connection between the cableless provider and the consumer without providing for pairing (Law, paragraph 0031-0032, where no pairing takes place).

22. As per claim 24, Shoobridge teaches the above, yet fails to teach wherein said device operates at 2.4 gigahertz at a range of approximately ten meters.

Law teaches the use of the Bluetooth® protocol in wireless consumer and provider setting (Law, paragraph 0030; see also paragraphs 0010-0012) where the device is identified through FHS packets (paragraph 0031-0032, wherein FHS packets are an essential part of the Bluetooth® protocol that operates at a range of 2.4 gigahertz at approximately 10 meters).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Shoobridge and Law to provide the Bluetooth® functionality of Law in the system of Shoobridge, because doing so would enable



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wireless connections that remain active for extended periods of time using limited energy sources while at the same time providing improved network connection establishment response times in a Bluetooth® compatible context (Law, paragraph 0026).

23. As per claim 28, Shoobridge teaches the above, yet fails to teach wherein said device identifies itself through an FHS packet.

Law teaches the use of the Bluetooth® protocol in wireless consumer and provider setting (Law, paragraph 0030; see also paragraphs 0010-0012) where the device is identified through FHS packets (paragraph 0031-0032, wherein FHS packets are an essential part of the Bluetooth® protocol that operates at a range of 2.4 gigahertz at approximately 10 meters).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Shoobridge and Law to provide the Bluetooth® functionality of Law in the system of Shoobridge, because doing so would enable wireless connections that remain active for extended periods of time using limited energy sources while at the same time providing improved network connection establishment response times in a Bluetooth® compatible context (Law, paragraph 0026).

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**Conclusion**

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor  
Examiner  
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**RUPAL DHARIA**  
**SUPERVISORY PATENT EXAMINER**